

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

KEVIN LYNN REVELS,  
TDCJ #654284,  
Petitioner,

**V.**

DOUG DRETKE, Director,  
Texas Department of Criminal Justice -  
Correctional Institutions Division,  
Respondent.

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CIVIL ACTION NO. H-05-4099

## ORDER OF DISMISSAL

Kevin Lynn Revels is an inmate incarcerated in the Texas Department of Criminal Justice - Correctional Institutions Division (collectively, “TDCJ”). Revels has filed a petition for a federal writ of habeas corpus to challenge a conviction entered against him in 1993, for aggravated assault of a correctional officer. Revels includes with his petition a motion for leave to proceed *in forma pauperis* and an “emergency request” for relief from his imprisonment. (Docket Entry Nos. 2, 4). This case is dismissed for reasons outlined briefly below.

Revels is a frequent filer who is well known in this district for his recalcitrant abuse of judicial resources. A review of the national prisoner case index shows that Revels has filed as many as fifty claims while incarcerated, including at least twenty-five habeas corpus petitions. Because of his abusive filing practices, Revels is now barred from filing any *pro se* habeas corpus pleadings in any district within the United States Court of Appeals for the Fifth Circuit without first receiving judicial permission. *See In re: Kevin Revels*, Nos. 98-

11217 and 98-11423 (5th Cir.); *see also Revels v. Cornyn*, Civil Action No. H-01-1467 (S.D. Tex. Nov. 6, 2001) (dismissing a habeas proceeding filed by Revels as barred under the Fifth Circuit's sanction order).


Revels includes with his petition a request for permission to proceed with his claims in spite of the bar imposed against him. (Docket Entry No. 5). His claims seek federal habeas corpus relief from a conviction entered in 1993. His petition is an unauthorized successive writ and the claims are plainly barred by the governing statute of limitations. Because the claims are frivolous, Revels' request for leave to proceed with his claims is denied.

Based on the foregoing, the Court **ORDERS** the following:

1. This federal habeas corpus proceeding is **DISMISSED** without prejudice because the petitioner is barred.
2. The petitioner's motion for leave to proceed *in forma pauperis* (Docket Entry No. 2) is **DENIED**.
3. The petitioner's motion for emergency relief (Docket Entry No. 4) and his request for permission to proceed (Docket Entry No. 5) are **DENIED**.
4. A certificate of appealability is **DENIED**.

The Clerk will provide a copy of this order to the parties.

SIGNED at Houston, Texas, on **December 7, 2005**.

  
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Nancy F. Atlas  
United States District Judge